STATE OF ARIZONA FILED

JUL 15 2011

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of) Docket No. 11A-093-INS
PHELPS, MICHAEL WILLIAM JAMES (Arizona License # 908200) (National Producer # 10041629)	ORDER SUMMARILY SUSPENDING BAIL BOND AGENT LICENSE AND NOTICE OF OPPORTUNITY FOR HEARING
Respondent.)))

The Arizona Department of Insurance (the "Department") alleges that **Michael William James Phelps** has violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. In light of the serious nature of these allegations, the Director of Insurance for the State of Arizona ("Director") finds that the public health, safety and welfare imperatively require emergency action, within the meaning of A.R.S. §41-1092.11(B).

FINDINGS OF FACT

- Michael William James Phelps ("Respondent") is licensed as a resident bail bond agent, Arizona license number 908200 which expires on July 31, 2011.
- 2. Respondent's addresses of record are: Libra Bonding Co., 5630 Highway 95, #2, Fort Mohave, Arizona 86426 (business); P.O. Box 9352, Ft. Mohave, Arizona 86426 (mailing); and 9755 Arizona Dr., Mohave Valley, Arizona 86440 (residence).
- 3. On December 22, 2008, the insurer holding Respondent's surety bond notified the Department that Respondent's bail agent bond was to be cancelled, effective on January 15, 2009.

- 4. On October 26, 2010, the Department notified Respondent that the surety holding Respondent's bond was cancelling the bond effective January 15, 2009.
 - 5. To date, Respondent has failed to replace the cancelled surety bond.
- 6. Therefore, as of January 15, 2009, Respondent has not maintained a bond in favor of this State executed by a surety insurer authorized to do business in this State.
 - 7. The public health, safety and welfare imperatively require emergency action.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction.
- 2. Respondent's conduct constitutes a violation of the requirement that each bail bond agent maintain in force while license a bond in favor of this State executed by a surety insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.
- 3. Grounds exist to order a summary suspension within the meaning of A.R.S. § 41-1092.11(B).

ORDER

IT IS HEREBY ORDERED THAT:

 Respondent's bail bond agent license, Arizona license number 908200, is summarily suspended effective immediately.

CHRISTINA URIAS Director of Insurance

NOTICE OF OPPORTUNITY FOR HEARING

Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified that Respondent may request a hearing pursuant to A.R.S. § 20-161 to contest the summary suspension. Such request must be in writing and received at the following address within thirty (30) days from the date hereof:

> Arizona Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018-7269

Upon receipt of a timely written request for hearing, the Director will issue an order setting the time and place of the hearing.

COPY of the foregoing mailed this 15th day of Ju1y, 2011, to:

Michael William James Phelps P.O. Box 9352 Ft. Mohave, Arizona 86426 Respondent

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Michael William James Phelps 9755 Arizona Dr. Mohave Valley, Arizona 86440

Respondent

Mary Butterfield, Assistant Director Mary E. Kosinski, Exec. Asst. - Regulatory Affairs Steven Fromholtz, Licensing Director Catherine M. O'Neil, Assistant Director

Dan Ray, Investigations Arizona Department of Insurance 2910 N. 44th Street, Suite 210 21 Phoenix, Arizona 85018

Office of the Attorney General Consumer Protection and Advocacy Section 23 Agency Unit

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Maidene Scheiner